

APPROVED MINUTES

April 14, 2014

Kittery Town Council

Council Chamber

Regular Council Meeting

1. CALL TO ORDER: Chairperson Thomson called the meeting to order at 7:00 p.m.
2. INTRODUCTORY: Chairperson Thomson read the introductory.
3. PLEDGE OF ALLEGIANCE: Chairperson Thomson led those present in the Pledge of Allegiance.
4. ROLL CALL: Answering the roll were Councilors Frank Dennett, Charles Denault, Jeffrey Pelletier, Russell White, Jeffery Brake, Judith Spiller and Chairperson Jeffrey Thomson.
5. AGENDA AMENDMENT AND ADOPTION: None
6. TOWN MANAGER'S REPORT:

Town Manager Colbert Puff said, as a result of the Town Council workshop, she developed a letter which she will send out tomorrow to all property owners affected by the changes in the Flood Insurance Rate Map changes regarding a town-wide appeal.

Town Manager Colbert Puff said she met today with Cathy Goodwin, a representative from Senator Collins' office to discuss how to reach out to FEMA to convince them to look at the maps before the appeal. She said that there may be a meeting, calling together all the Town Managers from York County and Cumberland County and she will let Town Council know.

Town Manager Colbert Puff gave Council a brief update on the status of the Whipple Road Sidewalk Project, to construct a sidewalk on the north side and the design work is approximately three-quarters complete. She said the State is only funding a portion of the project, since they do all the work, with regard to right-of-way easements and utility pole locations. She said that MDOT would need to go through all that work and will not proceed unless full funding is made available. She said she will be meeting with the State to see what the next steps are for the town.

Town Manager Colbert Puff said that, regarding the Homestead property on State Road, a chain link fence has been installed around the building, which needs to be removed, and the lock combination has been provided to the Police Department. She said the owner had not been responding to her calls until today. She said he told her that he is out of town and will give her an update when he returns.

Town Manager Colbert Puff said that she sent out an e-mail to the Chairs of the Boards and Committees regarding "Volunteer Day" and it appears the best day is May 10th. She wanted to know if 9:00 to 11:00 in the morning would work for Council and she would let everyone know.

Chairperson Thomson replied that not all of Council would be available, but some members will be present.

Town Manager Colbert Puff said that the underground utility work on Bellamy Lane is progressing well, the line has been dug, the trench filled and the paving will be done in the summer.

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Town Manager Colbert Puff said the BIG project is proceeding off-site and Prock Marine is constructing the floats in Rockland. She said they are expected to be on site in late May.

Town Manager Colbert Puff reported that the Portsmouth Naval Shipyard has taken several measures to deafen the sound by making adjustments to the security barrier equipment and the noise associated with their operation. She said they will install additional sound deafening devices. She said apparently the new equipment has been noisy.

Town Manager Colbert Puff said that a few people have been asking questions regarding Windows XP, which as you know is expiring this month, which subjects the computers to a higher security risk. She said they are addressing this issue throughout the town and she has received pricing from Two-Way Communications on replacing all computers running XP and expects to receive the software by Friday.

Town Manager Colbert Puff said they will be participating in the annual Tobu Kamikita exchange with visitors from Japan and that a Welcome Dinner will be held at the Community Center on Saturday, April 26th at 5:30 p.m. for the Japanese delegation. She said that in addition, on behalf of the town, she is hosting a dinner on Tuesday, April 29th at 5 pm, which Susan Tuveson is helping her to coordinate. She invited all Councilors and their spouses and asked that they let her know if they plan on attending one, or both, of these events.

Chairperson Thomson asked where the dinner was going to be held.

Town Manager Colbert replied at Robert's Maine Grill.

Town Manager Colbert Puff said that Councilor Dennett had requested a copy of the Town's Travel policy, which she had included with her report. She said this policy, as well as several other personnel policies, are being reviewed by Betsy Oulton, Human Resources Manager and that the Town Council will be considering them in the future.

Town Manager Colbert Puff said she has established a Twitter Account, which is easier for her to update than the website. She indicated if residents want to receive messages, they should sign up for an account and follow the "Town of Kittery" on Twitter.

Town Manager Colbert Puff said she received a draft maintenance agreement from the State regarding the John Paul Jones Park. She has asked them a few questions about the agreement, but she has not heard back from them.

Town Manager Colbert Puff reported the Town Clerk is continuing to search for the oldest person in Kittery to be awarded the Boston Post Cane and that a notice went out in the papers. She said the deadline was April 10th and the Historical Society has been reviewing the candidates. She said a decision will be forthcoming.

Chairperson Thomson asked if Councilors had any questions.

Councilor Spiller asked the Town Manager if it was possible to include bike-friendly curbing as part of the design for the Whipple Road project.

Town Manager Colbert Puff said she would look into that.

Councilor Dennett said he would like to see a copy of the Maintenance Agreement from MDOT for John Paul Jones Park, even if it is not complete.

The Town Manager indicated she would provide Councilor Dennett with a copy.

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7. ACCEPTANCE OF PREVIOUS MINUTES:

Chairperson Thomson declared the minutes of the Regular Meeting of March 24th and the Special Meeting of March 31st, 2014 accepted as amended and the Special Meeting of April 7, 2014, accepted as presented.

8. Interviews for the Board of Appeals and Planning Board

Board of Appeals: Gary Beers until 12/1/14
Niles Pinkham until 12/1/16

Chairperson Thomson said Council would hear from Gary Beers, who approached the podium.

Mr. Beers said that his general workload has diminished recently and he has a fair degree of knowledge with the ordinances, particularly Title 16, having been through the Board of Appeals process in past years. He said he can bring attention to detail that he typically does wherever he goes and thanked Council.

Councilor Dennett pointed out that Mr. Beers application, which is dated April 8th, indicates his second choice as EDC, which he presumed is the Economic Development Committee, and said Mr. Beers had already been appointed to that Committee on January 27th. He wanted to know how could it be Mr. Beers' second choice.

Mr. Beers replied because at the time, the opportunity did not present itself to him to apply to the Board of Appeals, and when he revisited the question, the Board of Appeals is actually his first choice and the EDC his second.

Councilor Dennett said in short, Mr. Beers took his old application and asked him if he did.

Mr. Beers responded yes, he did.

Chairperson Thomson asked if there could be a possible issue, where, as an Economic Development Committee member, Mr. Beers met with a potential developer regarding a business plan and he would have to act on an appeal before the Board of Appeals.

Mr. Beers responded that the prospect could arise in a number of instances; however, in the beginning of the meeting, the chair asks the members if there is a prior awareness of a conflict of interest, and the individual could indicate that there was and recuse himself from taking part in the vote, which he would.

Next, Chairperson Thomson called Niles Pinkham to the podium and said that Mr. Pinkham had left and now he is coming back.

Mr. Pinkham said things got a little crowded for a while, but are calming down and he felt he could make a contribution again.

Chairperson Thomson asked how many years had Mr. Pinkham served on the Board.

Mr. Pinkham replied he did not know, but it was quite a long time.

Councilor Dennett said having served before, Mr. Pinkham was aware of what goes on and wanted to know, if Mr. Pinkham was, by his own free will, offering himself up again for service on this Board.

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Mr. Pinkham replied yes.

Councilor Dennett said that Mr. Pinkham was a brave man.

Chairperson Thomson said they have two appointments before them and asked what was the pleasure of the Council.

COUNCILOR DENNETT MOVED THAT COUNCIL APPOINT GARY BEERS TO THE BOARD OF APPEALS UNTIL 12/1/14, SECONDED BY COUNCILOR BRAKE. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION PASSED 7-0.

COUNCILOR DENNETT MOVED THAT COUNCIL APPOINT NILES PINKHAM TO THE BOARD OF APPEALS UNTIL 12/1/16, SECONDED BY COUNCILOR PELLETIER. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION PASSED 7-0.

9. All items involving the Town Attorney, Town Engineers, Town employees or other town consultants or requested officials.

Chairperson Thomson indicated there were no items with the town attorney this evening, but wanted to take the opportunity to say he heard from the Town Manager that the Town Attorney has requested a brief Executive Session with Council to discuss a legal matter. He said he has scheduled an Executive Session at 5:45 pm, for a special meeting on April 28th, to be followed by a workshop with the Rice Library Board of Trustees.

- a. The Kittery Town Council moves to approve the request from the Thresher Memorial Project Group to conduct a dedication ceremony for Kittery's Memorial Park on Monday, May 26th at 10:00 a.m.

Gary Beers addressed Council and said he is pleased they have reached a point where the snow is gone in the Thresher Memorial Courtyard and Circle of Honor and he is seeking approval for a dedication ceremony on Monday, May 26th, Memorial Day.

Mr. Beers said while the Memorial Park is sponsored and paid for by the Thresher Memorial Group, it allows for future installation by any Kittery Veterans' group and First Responders.

Mr. Beers said he has asked Chairperson Jeffrey Thomson to be the keynote speaker and that the ceremony would last approximately 45 minutes.

Mr. Beers said he has requested that a portion of Rogers Road be closed between 9:45 am and 11:00 a.m. He said he met with the Police Chief, Public Works Commissioner, and the Fire Chief and they have agreed to the plan.

Mr. Beers said that the Grand Lodge of Maine Masons will be present as a number of them were lost on the Thresher. He said the Navy Admiral has also been invited. He said Paul LeBlanc will be present and give a recitation of a poem.

Mr. Beers asked if there were any questions.

Councilor Dennett said he presumes the park is on Town property, and asked if he was correct.

Mr. Beers replied yes, it is.

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Councilor Dennett said that he read where the Thresher Memorial Group is requesting Council's approval and sponsorship and asked Mr. Beers what is the intent of sponsorship.

Mr. Beers responded it is a matter of semantics and it is in the same vein as Council sponsoring the Holiday Parade or the Boy Scouts at the Fort – the Town Council assumes responsibility on their liability policy. He said he would be happy to change the language.

COUNCILOR DENNETT MOVED THAT THE TOWN COUNCIL APPROVE THE THRESHER MEMORIAL PROJECT GROUP'S REQUEST, AS PLANNED, TO CONDUCT A DEDICATION CEREMONY AT THE KITTERY MEMORIAL PARK ON MAY 26, 2014, AT 10:00 A.M., BUT THERE IS NO REFERENCE TO SPONSORSHIP IN THE MOTION, SECONDED BY COUNCILOR BRAKE.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

b. The Kittery Town Council moves to authorize, in accordance with Sec. 3.2.7 of the Kittery Town Code, an alternative procurement method for consulting services by FB Environmental Associates, in the amount of \$24,426 to conduct investigations that will help identify and remediate potential sources of bacterial pollution in Spruce Creek and other Kittery waterways.

Chairperson Thomson said the back-up material has been provided to them and asked Jessa Kellogg to approach the podium.

Ms. Kellogg said that the Town of Kittery has partnered, and subsequently worked, with FB Environmental Associates for the past several years in checking non-point source pollution. She said they have worked with them on Fort Foster in 2013, and that they are in the third phase of the grant.

Ms. Kellogg said that the town has a long history with FB Environmental and they have made important progress. She said they have discovered hot spots for contamination and they would like to continue.

Ms. Kellogg said the reason why she is requesting an alternative procurement method, as opposed to going through the bid process, is because there is no other company like FB Environmental Associates that could provide these services and they work very quickly and efficiently.

Ms. Kellogg said that even though they have identified where there is contamination, they still need to find the source. She said they have done a sample study in Spruce Creek on the water quality, but they do not have a lot of information.

Ms. Kellogg said she would like the Town Council's approval of an alternative procurement method to contract out services with FB Environmental Associates. She said she will answer any questions, but Emily DiFranco from FB Environmental is also here tonight.

Councilor Dennett asked if he is to believe the attached letter to the Town Manager is the contract.

Ms. Kellogg replied yes, it is the scope of work, and the full cost. She said the Town Manager has developed a standard contract for this type of service.

Councilor Dennett wanted to know when he could see it.

The Town Manager responded that he sees it already, but she will provide him with a copy.

Councilor Dennett asked if all the work being done would be in this coming fiscal year.

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Ms. Kellogg answered correct.

Councilor Dennett wanted to know if any work was being done before July 1st?

Ms. Kellogg replied no.

Councilor Dennett asked if she had run out of other funds, such as Federal and State grants, rather than use taxpayer's money.

Ms. Kellogg answered they are done with grants and she did not know if her predecessor asked for an alternative procurement method.

Councilor Dennett said this is all taxpayers' money. He said he has read some of the reports and certain points are problem areas. He said he would hate to find out what is it. He said the ultimate goal is to stop the problem.

Ms. Kellogg replied yes.

Councilor Dennett wanted to know how much more money are we going to dump into this.

Ms. Kellogg said a lot of progress has been made and she feels this is a worthwhile venture.

Emily DiFranco from FB Environmental said she was here a month ago, presenting last year's report and was asked the same question the last time – when does it end? She said the water quality testing pretty much does not end, but they can get to a maintenance level, or what the State considers a green level. She said until we get there, they have to spend this money and the funding is from the 319 grant. She said the things they propose are not eligible to be funded.

Ms. DiFranco said she did not know if that helps.

Councilor Dennett asked Ms. Kellogg what was her title and she replied that she is the Shoreland Resource Officer.

Chairperson Thomson asked the Town Manager if there is a source of funding.

Town Manager Colbert Puff said that there is a CIP account and monies are targeted for these projects.

IT WAS MOVED BY COUNCILOR SPILLER AND SECONDED BY COUNCILOR WHITE TO AUTHORIZE THE PURCHASING AGENT TO USE AN ALTERNATIVE PROCUREMENT METHOD, IN ACCORDANCE WITH SECTION 3.2.7 OF THE TOWN CODE FOR THE CONSULTING SERVICES BY FB ENVIROMENTAL ASSOCIATES, IN THE AMOUNT OF \$24,426 TO CONDUCT INVESTIGATIONS THAT WILL HELP IDENTIFY AND REMEDIATE POTENTIAL SOURCES OF BACTERIAL POLLUTION IN SPRUCE CREEK AND OTHER KITTELY WATERWAYS.

Councilor Dennett said he will say "yes" with great reluctance but noted that the funding cannot go on forever.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES, 7-0.

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c. The Kittery Town Council moves to authorize the submission of an application for a Transportation Capital Improvement Grant for Eligible State Aid Streets, in the amount of \$650,000 with a 10% Town match in the amount of \$65,000.

Chairperson Thomson said that Council has been provided with back up information, but for the benefit of those present and other, asked the Town Manager if she could elaborate on what this is about.

Town Manager Colbert Puff said that the **Kittery Area Comprehensive Transportation System (KACTS)** Regional Planning Association has 1.6 million dollars grant funding available for FY 16 and 17 to work on eligible State aid streets. She thought it would be prudent to apply for this grant funding. She said the money to match is in the future, but there is \$650,000 available from the State for street, paving and road improvements and maintenance. She said we get more bang for our buck, so to speak, to have the 10% cash match or \$65,000 in support of the grant application.

COUNCILOR PELLETIER MOVED THE COUNCIL AUTHORIZE THE SUBMISSION OF AN APPLICATION FOR A TRANSPORTATION CAPITAL IMPROVEMENT GRANT FOR ELIGIBLE STATE AID STREETS, IN THE AMOUNT OF \$650,000 WITH A 10% TOWN MATCH IN THE AMOUNT OF \$65,000. COUNCILOR SPILLER SECONDED THE MOTION.

Chairperson Thomson asked for discussion.

Councilor Dennett wanted to know if everybody realizes what they are doing. He said the money will be available in 16-17 from KACTS and they haven't gotten to FY '15. He asked how are we going to guarantee, for that period of time, that we will have \$65,000 available for a match. He said typically the ballot question in June is to set up \$100,000, but if we take that \$65,000, it is 65% of the reserve money and dedicate it to this process, and if the town applies for the grant, and we don't get accepted, then all heaven breaks loose and we are damned forever. He said we have been down this road before.

Councilor Dennett said he can see no way we can financially bind ourselves to this amount of money unless we can perhaps encumber some funds, but then it is set aside and we cannot touch them. He said he did not see a report from the Finance Director.

Town Manager Colbert Puff said they are not asking Council to set a hard match, but to submit the grant and perhaps they could consult with the CIP Committee and go that route.

Councilor Dennett wanted to know if the application is due April 18th.

Town Manager Colbert said it is.

Councilor Dennett said if we get the grant and cannot find the funds, we are black-balled forever and he would have to vote against it, unless you can tell me how to encumber these funds.

Councilor Denault asked if they can set aside some money in the CIP account.

Town Manager Colbert Puff replied not this one in particular.

Councilor Denault asked if this was a separate issue and not focused on that one.

The Town Manager responded yes.

Councilor White said he had two questions, actually one observation and one question.

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Councilor White said he views this as advance warning and gives us time to plan or figure out how to plan {for funding} and secondly, some grants allow for a reduction in cash amount of the match with a provision for “in kind” services. He wanted to know if this grant is one like that.

Town Manager Colbert Puff said she did not believe this is one of those grants.

Councilor Denault asked if by submitting this grant application, are we committing to those funds at this time or are we telling them we are doing it.

Town Manager Colbert Puff replied no. She said she is looking at the Town Planner, who is actually the Chair of KACTS. She said all towns applying for this grant would be potentially encumbering funds in the future fiscal year and she would wager that the applications are being submitted without a firm match.

Councilor Denault said to alleviate Councilor Dennett’s issue, if we applied and got it, but do not follow through with the funds, that’s it, but wanted to know if we are just applying for the grant.

Town Manager Colbert Puff replied yes.

Councilor Dennett said we have been down this road before with MDOT and the BIG project. He said the Council had reticence whether they wanted to proceed, and the State promised to all that was holy we would never get another grant as long as DOT exists if we reneged. He said he does not want to go through that again.

Chairperson Thomson said he doesn’t remember it that way, but it wasn’t DOT.

Councilor Pelletier said there are other issues and he has reticence for a variety of things.

Chairperson Thomson said this is not a foreign process to us and they have done this before. He said they are getting in line for KACTS funding. He said he would like to have the work done, and it needs to be done and if work on the infrastructure can be performed for 10 cents on a dollar, he would do that anytime.

ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENNETT VOTING IN OPPOSITION. MOTION CARRIES 6-1.

10. PUBLIC HEARING:

(040214-1) The Kittery Town Council moves to approve an application from Martin Marinov, 170 Shore Road, Cape Neddick, Maine for a Victualer’s License for Fresh Delights, Kittery Premium Outlets, 375 U.S. Route One, Kittery, Maine.

Chairperson Thomson said this is a cart operation and asked if this public hearing had been advertised in the newspaper. Maryann Place replied that the public hearing notice had been published in Friday’s paper.

Chairperson Thomson said that Council has a letter from Kittery Premium Outlets giving permission for Mr. Marinov to operate his cart there.

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Chairperson Thomson opened the public hearing and asked if anyone wished to speak to, for, or against the application. Hearing none, he closed the public hearing.

IT WAS MOVED BY COUNCILOR SPILLER AND SECONDED BY COUNCILOR PELLETIER TO APPROVE THE APPLICATION FROM MARTIN MARINOV, 170 SHORE ROAD, CAPE NEDDICK, MAINE FOR A VICTUALER'S LICENSE FOR FRESH DELIGHTS, KITTERY PREMIUM OUTLETS, 375 U.S. ROUTE ONE, KITTERY, MAINE.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIED 7-0.

11. DISCUSSION:

a. By members of the public (3 minutes per person)

Holly Zayer of 113 Government Street said she is a property owner, car driver, pedestrian and bicyclist and Kittery is the first Maine town on the Eastern Trail and as a community, we should welcome bicyclists on the roads.

Ms. Zayer said she has done homework on Maine laws regarding automobiles and bicyclists and bicyclists may use the public roads and obey traffic laws and are expected to ride on the right as far as possible. She said some exceptions to that would be setting up for a left turn, passing other vehicles or avoiding other unsafe conditions. She said motorists should give three feet clearance to bicyclists. She finished reading all the rules and concluded by saying motorists should not sound their horn unnecessarily.

Ms. Zayer said that bicyclists have the same rights as motor vehicles. She said hopefully bicyclists will be on their best behavior and drivers as well and thanked Council.

Mary Stevens of Gray Lane said she is a parent of 4 children and has volunteered in the schools for over 10 years. She wanted to let Council know that Allyn Hutton is the best thing that has happened to the town in a long time. She said that Ms. Hutton is open, transparent and provides excellent leadership so the School Committee can continue to perform their responsibilities.

Ms. Stevens said she is an attorney and a child advocate and disagrees with the Town Council's stance on the school budget. She said important decisions need to be made, and looking at this for the long term, how to hire and retain teachers and pay them accordingly. She said if a Town Councilor has a grudge against an administrator, he /she should recuse themselves from the vote on the town budget.

Ms. Stevens said too many times someone has questioned the ethics and integrity of good people in this town and she believes it is not conducive to business and it has to change. She hoped that we can talk about important issues that are happening.

Niles Pinkham, 25 Pinkham Lane said he has no problem with a few bicyclists, but the people who handle the organized rides that go through this town should have to pay for police to guide them and traffic.

Mr. Pinkham said he doesn't know if it's a herd mentality, but he drives a truck and when there are 20 bicyclists, they do not stay in line, they ride across the lane, and he has tried to go around them and they do not move. He said a driver pulled out around them and almost hit him head on because she was fed up riding behind them. He said when there is a big group, it can be irritating, because they do not do what they are supposed to do either.

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Barry Fitzpatrick said on behalf of the other residents of the town, he wished to thank Council for facilitating Channel 22 coverage of the School Committee meetings. He said they promised transparency and what this medium provides is essential. He said there would be no record of the Superintendent of Schools publicly apologizing for misleading this governing body.

Mr. Fitzpatrick said he did not know what happened to the streaming of the April 1st meeting, but it did not take place. He said this fact, coupled with the lack of a reporter and subsequent no coverage of the school meeting by media, makes him wonder who was the April Fool on that particular evening?

Mr. Fitzpatrick suggested that a reminder checklist could be made available to chairs to make sure interested parties will be able to witness how the wheels are turning in this town and to insure the promised and much touted transparency.

Mr. Fitzpatrick said being a retired educator, he would like to conclude with a quote: "The greatest enemy of truth is very often not the lie - deliberate, contrived and dishonest - but the myth - persistent, persuasive and unrealistic. We subject all facts to a prefabricated set of interpretations and enjoy the comfort of opinions without the discomfort of thought."

He said this quote was delivered by President John F. Kennedy in 1962 when he was an impressionable freshman at Traip Academy.

Virginia Smith of 41 Tenney Hill Road said she is offering support not just for the school but for Supt. Allyn Hutton. She said she is a mother of 3 children, educated in the schools and she applauds Supt. Hutton for the work she has done.

Ms. Smith said she remains in awe of her and supports Supt. Hutton's clarification. She said she hopes that Supt. Hutton will continue and that the issue may not affect or taint her.

- b. Response to public comment directed to a particular Councilor – none
- c. Chairperson's Response to public comments:

Chairperson Thomson said he will not personally comment on any matters that do not involve the Town Council or on any employee of another department in the town.

Chairperson Thomson thanked Holly Zayer for her comments. He said bicyclists need to adhere to the rules of the road as well. He said he was at the intersection of Walker Street and State Road and a bicyclist sailed right through the traffic light and almost was hit.

12. UNFINISHED BUSINESS:

(040114-1) The Kittery Town Council moves to release funds in the amount of \$12,500 from unassigned surplus for the replacement of the Pepperrell Cove holding tank.

Chairperson Thomson said this item was on the agenda and included in our packets, but was postponed. He said we have had a couple of meetings on this matter, without resolution, and asked the Town Manager if she had any further information.

Town Manager Colbert Puff said she spoke with Norm Albert, Interim Public Works Commissioner and he told her that the Public Works Dept. can install the tank.

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Chairperson Thomson asked about the cost on the Bellamy Lane project.

Town Manager Colbert Puff replied that not all the figures are in yet, but she will request a transfer of funds later on in the agenda. She said this will be included with the BIG project estimate and contingency that all bills will be in kind.

Chairperson Thomson asked if the work can be done by town staff for \$12,500.

Town Manager Colbert Puff said they have rented an excavator and it will be available for this project as well.

Chairperson Thomson said there is no action that needs to be taken by the Town Council.

Councilor Denault wanted to know what size tank did they decide to go with.

Town Manager Colbert Puff responded 2000 gallons.

Councilor Dennett pointed out that the matter is before the Town Council and they do need to act on it.

COUNCILOR DENNETT MOVED THAT TOWN COUNCIL POSTPONE THIS ITEM INDEFINITELY, SECONDED BY COUNCILOR SPILLER. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

13. NEW BUSINESS:

a. Donations/gifts received for Council disposition – none

b. (040214-2) The Kittery Town Council moves to give preliminary approval on the FY '15 School Budget and schedule a public hearing on May 12th to adopt the FY '15 School Budget and to schedule the Budget Validation Referendum for June 10th.

IT WAS MOVED BY COUNCILOR PELLETIER TO GIVE PRELIMINARY APPROVAL ON THE FY'15 SCHOOL BUDGET AND SCHEDULED A PUBLIC HEARING ON MAY 12TH TO ADOPT THE FY '15 SCHOOL BUDGET AND SCHEDULED THE BUDGET VALIDATION REFERENDUM FOR JUNE 10TH, SECONDED BY COUNCILOR SPILLER.

Chairperson Thomson asked if they agreed to all the dates. Councilor Pelletier and Councilor Spiller replied yes.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES, 7-0.

c. (040214-3) The Kittery Town Council moves to schedule a public hearing in accordance with Section 6.11 (2) of the Kittery Town Charter, to ordain an ordinance to authorize the execution of a multi-year contract, "Ambulance Service Agreement", between the Towns of Eliot and Kittery, Maine and American Ambulance, Inc.

Chairperson Thomson asked if there was any information for the Town Council to review. The Town Manager replied that it will be included in the packet for the public hearing.

Councilor Dennett asked if staff is indicating a date. The Town Manager responded April 28th.

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COUNCILOR DENNETT MOVED THAT COUNCIL SCHEDULE A PUBLIC HEARING FOR APRIL 28, 2014 IN ACCORDANCE WITH SEC. 6.11 (2) OF THE TOWN CHARTER TO ORDAIN AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A MULTI-YEAR CONTRACT, "AMBULANCE SERVICE AGREEMENT" BETWEEN THE TOWNS OF ELIOT AND KITTERY, MAINE AND AMERICAN AMBULANCE INC. MOTION SECONDED BY COUNCILOR PELLETIER. ALL WERE IN FAVOR BY A VOICE VOTE. MOTION CARRIED 7-0.

d. (040214-4) The Kittery Town Council moves to approve a request from Boy Scout Troop #307 to hold their annual Spring camping trip at Fort Foster from May 16 through May 18, 2014.

COUNCILOR SPILLER MOVED TO APPROVE THE REQUEST FROM BOY SCOUT TROOP 307 TO HOLD THEIR ANNUAL SPRING CAMPING TRIP AT FORT FOSTER FROM MAY 16-18, 2014. MOTION SECONDED BY COUNCILOR BRAKE. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIED 7-0.

e. (040214-5) The Kittery Town Council moves to approve a renewal application from Robert's Maine Grill LLC for a Malt, Spirituous and Vinous Liquor License for Robert's Maine Grill and Market, 326 US Route 1.

IT WAS MOVED BY COUNCILOR SPILLER AND SECONDED BY COUNCILOR PELLETIER TO APPROVE THE RENEWAL APPLICATION FROM ROBERT'S MAINE GRILL LLC FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR ROBERT'S MAINE GRILL AND MARKET, 326 U.S. ROUTE ONE, KITTERY.

Chairperson Thomson said there is no date that the Code Enforcement Officer has inspected the establishment, and wanted to know when was the building get inspected.

The Town Clerk replied there should be an attachment on the original application.

Chairperson Thomson said the Police Department has reviewed the business on March 24th and the CEO has inspected the building on March 19th.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIED 7-0.

f. (040214-6) The Kittery Town Council moves to approve a renewal application from Weathervane Seafoods, 31 Badgers Island West, Kittery for a Malt, Spirituous and Vinous Liquor License for Weathervane Badger's Island Deck, 31 Badger's Island West, Kittery.

Chairperson Thomson said Council has the same forms attached from the Police Chief and the Code Enforcement and the establishment is in compliance.

IT WAS MOVED BY CHAIRPERSON THOMSON AND SECONDED BY COUNCILOR WHITE TO APPROVE THE RENEWAL APPLICATION FROM WEATHERVANE SEAFOODS, 31 BADGER'S ISLAND WEST, KITTERY FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR WEATHERVANE BADGER'S ISLAND DECK, 31 BADGER'S ISLAND WEST. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

g. (040214-7) The Kittery Town Council moves to approve a renewal application from Badger's Island Pizzeria Inc., for a Malt and Vinous Liquor License for Badger's Island Pizzeria, 3 Island Avenue.

Chairperson Thomson said the CEO has inspected the establishment.

APPROVED MINUTES

IT WAS MOVED BY COUNCILOR PELLETIER AND SECONDED BY COUNCILOR SPILLER TO APPROVE THE RENEWAL APPLICATION FROM BADGER'S ISLAND PIZZERIA INC. FOR A MALT AND VINOUS LIQUOR LICENSE FOR BADGER'S ISLAND PIZZERIA, 3 ISLAND AVENUE.

Chairperson Thomson said he does not see the forms attached to the others. Ms. Place said she had received a verbal approval from Heather Ross and she can provide the form tomorrow.

Chairperson Thomson asked where is the memo from the Police Chief? Ms. Place said she did not see it in her mail box.

Councilor Dennett said this bothers him when Council does not have all the information and stated that the license expired on April 9, 2014.

Ms. Place said the letter to the State from her is attached.

Councilor Dennett said it is the fault of the applicant and wanted to know how long is the approval for.

Ms. Place replied it is until she sends in the license to the State.

Councilor Dennett said the applicant is not paying attention.

Councilor Denault said it is an issue because Council does not have all the information in front of them again.

COUNCILOR DENNETT MOVED TO POSTPONE APPROVAL ON THIS RENEWAL APPLICATION UNTIL APRIL 28th, 2014, SECONDED BY COUNCILOR DENAULT.

Councilor Pelletier said he will oppose postponement, not knowing what the extension of the license is for, and he does not want to put him out of business. He said Badger's Island Pizzeria has been in business a long time and he does not recall previous issues with the applicant. He wanted to know why they can't approve the application, contingent upon receiving the signed forms from the Code Enforcement Officer and Police Chief. He said we could take action at the next meeting if the applicant does not come through.

Councilor Denault said in light of what Councilor Pelletier said, the issue before us is we don't have the paperwork and it seems the CEO is busy. He asked the Town Clerk if the license is not renewed, can the applicant serve those beverages.

The Town Clerk replied he has a temporary license for now.

Councilor Denault asked how long does it last.

Ms. Place replied until he gets the license from the State.

Chairperson Thomson said the letter from the Town Clerk to the Department of Public Safety is dated April 3rd and read the letter.

Councilor Dennett said the application is dated April 7th.

Ms. Place said the applicant came in to speak with her and she talked with the State. She said the applicant was coming back with the fee and the application and she knew he was coming in.

APPROVED MINUTES

Chairperson Thomson said the present license expired on April 9th so there is sufficient reason to postpone this item without causing a grievance.

ROLL CALL VOTE WAS TAKEN TO POSTPONE THIS ITEM UNTIL APRIL 28TH, WITH COUNCILORS PELLETIER, WHITE AND SPILLER VOTING IN OPPOSITION. MOTION CARRIES, 4-3.

h. (040214-8) The Kittery Town Council moves to approve a request from the Kittery Fire Association to hang banners across Rogers Road in front of the Kittery Community Center and on York Hospital's Kittery Clinic building (facing the intersection) as well as to place approximately 12 wooden signs in various locations throughout Kittery and Kittery Point, advertising the Annual Kittery Fire Association 5K Run & Walk and Pancake Breakfast, from May 1st until May 20th.

IT WAS MOVED BY COUNCILOR SPILLER AND SECONDED BY COUNCILOR BRAKE TO APPROVE THE KITTERY FIRE ASSOCIATION'S REQUEST TO HANG BANNERS ACROSS ROGERS ROAD IN FRONT OF THE COMMUNITY CENTER AND ON THE YORK HOSPITAL CLINIC BUILDING AS WELL AS PLACE APPROXIMATELY 12 WOODEN SIGNS IN VARIOUS LOCATIONS THROUGHOUT KITTERY AND KITTERY POINT, ADVERTISING THE ANNUAL KITTERY FIRE ASSOCIATION 5K RUN & WALK AND PANCAKE BREAKFAST FROM MAY 1ST UNTIL MAY 20TH.

Councilor Dennett asked if there was anyone present representing the association.

Dan Hale, Chair of the Kittery Fire Station Association responded yes.

Councilor Dennett said they went through this last year – not counting the two logos on the front, the typed information contains five references to “Kittery Fire Association” and five to the “Kittery Fire Station Association” which is on the copy of the insurance and a certification of good standing from the Secretary of State to the Kittery Fire Station Association Treasurer, Wayne Hennessy.

Councilor Dennett asked which one are you.

Mr. Hale answered information is found at Kittery 5K.com and they are a charitable organization. He said they are limited on the signs to “KFA” but the letters are considered interchangeable {KFSA}.

Councilor Dennett said he worries when we start interposing names and one is legal, but he does not know which one it is. He said some signs say “KFA” and others say “KFSA” and he suggested to Mr. Hale that they stick with their legal name.

Mr. Hale thanked Councilor Dennett for his suggestion.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

i. (040214-9) The Kittery Town Council moves to approve the disbursement warrants.

Chairperson read the amounts for the two sewer payables, SW 1441 and SW1441-A, and the town warrant and the two school payables for a total of \$735,274.

Chairperson Thomson said the warrants have been reviewed and found to be in the appropriate manner.

APPROVED MINUTES

IT WAS MOVED BY COUNCILOR SPILLER AND SECONDED BY COUNCILOR BRAKE TO APPROVE THE DISBURSEMENT WARRANTS. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES, 7-0.

j. (040214-10) The Kittery Town Council moves to review and finalize wording on the Warrant Articles for the June 10, 2014 Town Meeting/Secret Ballot Election and make its recommendations on each article.

Article 2: Shall the town vote to authorize Town Council to transfer up to \$125,000 from unassigned funds and appropriate and expend up to \$125,000 when necessary into account #2022 Compensated Absences, to maintain a positive fund balance to pay for accrued vacation and /or sick leave to settle any unpaid benefits owed to retiring employees in FY'15?

Chairperson Thomson said this will be a two-step process. He will read each article to place on the ballot and then Council will voice their recommendation for the voters.

Councilor Dennett said as soon as there was a motion, he had a change to offer.

CHAIRPERSON THOMSON MOVED TO PLACE THE ARTICLE S ON THE BALLOT, SECONDED BY COUNCILOR DENAULT.

Councilor Dennett said the Charter states that, technically, the Council can authorize transfers from unencumbered surplus but the accounting world has decided that it is unassigned funds. He recommended, in every article, the words "unencumbered surplus" should appear in parentheses after "unassigned funds."

Councilor Dennett wanted to know if the change was acceptable to the maker of the motion and the seconder. Chairperson Thomson and Councilor Denault stated they were in favor of the change.

A VOICE VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, ADDING "UNENCUMBERED SURPLUS" IN PARENTHESES AFTER "UNASSIGNED FUNDS" IN EACH ARTICLE.

Chairperson Thomson asked for a roll call on the Recommendation. **ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.**

Article 3: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$25,000 from unassigned funds when necessary and appropriate and expend up to \$25,000 for the purpose of paying the town's cost on accepted insurance claims against the town?

IT WAS MOVED BY COUNCILOR WHITE, SECONDED BY COUNCILOR BRAKE, TO PLACE ON THE BALLOT. ALL WERE IN FAVOR BY A VOICE VOTE. MOTION CARRIES 7-0.

ROLL CALL VOTE WAS TAKEN ON THE MOTION FOR RECOMMENDATION OF ARTICLE 3 WITH ALL VOTING IN FAVOR, MOTION CARRIES 7-0.

Article 4: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$100,000 from unassigned funds when necessary and appropriate and expend up to \$100,000 for the purpose of providing the town's match to federal, state and non-profit grants?

IT WAS MOVED BY COUNCILOR SPILLER, SECONDED BY COUNCILOR BRAKE TO PLACE ON THE BALLOT.

APPROVED MINUTES

A VOICE VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

Chairperson Thomson asked for a Roll Call vote on the recommendation.

ROLL CALL VOTE WAS TAKEN ON RECOMMENDATION OF ARTICLE 6, WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

Article 5: Shall the town vote to authorize Town Council to transfer from unassigned funds an amount not to exceed \$40,000, when necessary and appropriate, and expend said amount to cover shortfalls in the FY'15 town departments' fuel accounts due to the unpredictable fuel pricing markets?

IT WAS MOVED BY COUNCILOR SPILLER, SECONDED BY COUNCILOR WHITE, TO PLACE THIS ARTICLE ON THE BALLOT.

Councilor Denault noted it states "not to exceed \$40,000" and wanted to know if the town did not spend the money, did it go back into the general fund.

Chairperson Thomson replied that is correct.

Councilor Pelletier added that the money is not until they need it.

VOICE VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

ROLL CALL VOTE WAS TAKEN ON THE RECOMMENDATION FOR ARTICLE 5 - WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

Article 6: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$40,000 from unassigned funds when necessary and appropriate and expend said amount for the purpose of providing the town's General Assistance Program as required by town, state and federal laws in FY'15?

IT WAS MOVED BY COUNCILOR SPILLER AND SECONDED BY COUNCILOR WHITE TO PLACE THIS ARTICLE ON BALLOT.

Councilor Dennett asked for an update on the funds available in the general assistance account. He said they are three quarters of the way through and it is in excess of \$100,000. He asked the Town Manager for her recommendation.

The Town Manager replied \$40,000 and that she has not heard a different recommendation from the Finance Director.

Chairperson Thomson said he recognizes the situation with this account annually being overspent, and as a member of the Mary Safford Wildes Trust, he will speak to the membership regarding a donation from the trust.

Councilor Dennett wanted to know if they would support an increased donation.

Chairperson Thomson replied it is not his decision.

Councilor Dennett asked if the money would be taken out of the principal.

Chairperson Thomson responded he did not think so.

APPROVED MINUTES

ALL WERE IN FAVOR BY A VOICE VOTE. MOTION CARRIES 7-0.

ROLL CALL VOTE WAS TAKEN ON THE RECOMMENDATION OF ARTICLE 6, WITH ALL VOTING IN FAVOR. MOTION CARRIES, 7-0.

Article 7: Shall the Town vote to authorize Town Council to transfer an amount not to exceed \$50,000 when necessary from the unassigned funds and to appropriate and expend said amount at the discretion of the Town Council to pay for emergency repairs and energy efficiency improvements to town-owned facilities that are not contemplated in the regular FY'15 operating budget?

IT WAS MOVED BY COUNCILOR WHITE AND SECONDED BY COUNCILOR SPILLER TO PLACE THIS ITEM ON THE BALLOT.

Chairperson Thomson said these items have historically been on the June ballot for a number of years and allows the Town Council to take action on each from another source, when necessary.

A VOICE VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

ROLL CALL VOTE WAS TAKEN ON THE RECOMMENDATION OF ARTICLE 7, WITH ALL VOTING IN FAVOR. MOTION CARRIES, 7-0.

k. (040214-11) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Conservation Commission to interview Karen Saltus for her appointment to that board to until 05/31/15 (to fill the expired term of Kelly Wilsey, who did not re-apply).

Chairperson Thomson said he was asked to meet with the Conservation Commission Chair way back in September to interview an applicant, and the applicant withdrew. He said he would take this one and wanted to know if anyone objected.

Councilor Dennett replied according to the code, it is highly irregular.

Councilor Spiller said since the Chair is willing to step forward, she is agreeable to it.

Chairperson Thomson said he felt badly not being able to do the interview last Fall.

Councilor Dennett responded he did not do one.

Chairperson Thomson said unless there is strenuous objection, he will take this one.

Councilor Dennett said okay but then Council has to go through the list.

IT WAS MOVED BY COUNCILOR PELLETIER AND SECONDED BY COUNCILOR SPILLER TO APPOINT CHAIRPERSON THOMSON AS REPRESENTATIVE TO MEET WITH THE CONSERVATION COMMISSION CHAIR TO INTERVIEW KAREN SALTUS FOR HER APPOINTMENT TO THAT BOARD UNTIL MAY 31, 2015. A VOICE VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

l. (040214-12) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Parks Commission to interview Jenny Wall for her appointment to that board as an associate member until 3/28/17 (replacing Tom Hibsichman who moved from an associate to a full member).

APPROVED MINUTES

Chairperson Thomson said the next Councilor on the list is Councilor Spiller.

Councilor Dennett wanted to know if Councilor Spiller had already interviewed an applicant for the Parks Commission.

Chairperson Thomson replied no.

COUNCILOR PELLETIER MOVED TO APPOINT COUNCILOR SPILLER TO MEET WITH THE CHAIR OF THE PARKS COMMISSION TO INTERVIEW JENNY WALL FOR HER APPOINTMENT TO THAT BOARD AS AN ASSOCIATE MEMBER UNTIL 3/28/17, SECONDED BY COUNCILOR BRAKE. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

m. (040214-13) The Kittery Town Council moves to approve the request from the Kittery/Eliot VFW Memorial Post 9394 to hold the Memorial Day Parade and Ceremonies on Saturday, May 24, 2014 beginning at 9:00 a.m. on Walker Street.

Chairperson Thomson said they received a letter from Allen Carter of the Kittery/Eliot VFW Memorial Post 9394.

IT WAS MOVED BY COUNCILOR SPILLER, SECONDED BY COUNCILOR DENAULT TO APPROVE THE REQUEST FROM THE KITTELY/ELIOT VFW MEMORIAL POST 9394 TO HOLD THE MEMORIAL DAY PARADE AND CEREMONIES ON SATURDAY, MAY 24, 2014 BEGINNING AT 9 A.M. ALL WERE IN FAVOR BY A VOICE VOTE. MOTION CARRIES 7-0.

n. (040214-14) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Rice Library Board of Directors to interview Emily Bailey for appointment to that board.

IT WAS MOVED BY COUNCILOR PELLETIER AND SECONDED BY COUNCILOR SPILLER TO APPOINT CHAIRPERSON THOMSON AS REPRESENTATIVE TO MEET WITH THE CHAIR OF THE RICE LIBRARY BOARD TO INTERVIEW EMILY BAILEY FOR APPOINTMENT TO THAT BOARD. ALL WERE IN FAVOR BY A VOICE VOTE. MOTION CARRIES 7-0.

o. (040214-15) The Kittery Town Council moves to approve the formula to assess sewer betterment fees using 50% unit, 25% frontage and 25% lot size for owners of land benefited by the Sewer Expansion Project.

IT WAS MOVED BY COUNCILOR DENNETT, SECONDED BY COUNCILOR DENAULT TO APPROVE THE FORMULA TO ASSESS SEWER BETTERMENT FEES USING 50% UNIT, 25% FRONTAGE AND 25% LOT SIZE FOR OWNERS OF LAND BENEFITED BY THE SEWER EXPANSION PROJECT.

Chairperson Thomson said that Council did have a workshop with the engineering firm, George Kathios, and of the various options available, they used this one because historically it seems to work.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

p. (040214-16) The Kittery Town Council moves to schedule a public hearing in accordance with Section 6.09 (4) of the Kittery Town Charter to authorize the Town Manager to transfer \$14,000 from CIP account #4054 Pepperrell Cove Wharf and \$20,185 from CIP account #4055 Port Authority Equipment Reserve, for a total amount of \$34,185 to CIP account #4503 Pepperrell Cove Paving, for the underground utilities project at Bellamy Lane.

APPROVED MINUTES

The Town Manager asked to correct a transposition of numbers regarding the account where the funds would be transferred – and that #4503 should be #4053.

Chairperson Thomson said this has been discussed for a while and the Finance Director has recommended this process.

IT WAS MOVED BY CHAIRPERSON THOMSON AND SECONDED BY COUNCILOR BRAKE TO SCHEDULE A PUBLIC HEARING FOR APRIL 28TH, 2014 IN ACCORDANCE WITH SEC. 6.09(4) OF THE TOWN CHARTER TO AUTHORIZE THE TOWN MANAGER TO TRANSFER \$14,000 FROM CIP ACCT. #4054 PEPPERRELL COVE WHARF AND \$20,185 FROM CIP ACCOUNT #4055 PORT AUTHORITY EQUIPMENT RESERVE FOR A TOTAL OF \$34,185 TO CIP ACCOUNT #4053 PEPPERRELL COVE PAVING FOR THE UNDERGROUND UTILITIES PROJECT AT BELLAMY LANE. A VOICE VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES 7-0.

q. (040214-17) The Kittery Town Council moves to be listed as a Community Partner in promotional materials for the May 17, 2014, showing of the Maine at Work performance and discussion to be held at The Dance Hall.

Chairperson Thomson said the Town Council would be listed on the program as a Community Partner.

IT WAS MOVED BY COUNCILOR SPILLER AND SECONDED BY COUNCILOR WHITE TO LIST THE COUNCIL AS COMMUNITY PARTNER IN PROMOTIONAL MATERIALS FOR THE MAY 17, 2014 SHOWING OF THE MAINE AT WORK PERFORMANCE AND DISCUSSION TO BE HELD AT THE DANCE HALL.

Councilor Dennett wanted to know what is the community partner's duties.

Chairperson Thomson replied it is what one might see in a program at a function at the Music Hall where various businesses pay for advertising in support of an event.

Ms. Kim Sanborn said she is the President of the Historical Museum and it is for promotional purposes only. She said the Town's name would be on the advertising. She said they received a grant for the total purchase, so there is no fee involved.

Ms. Sanborn said it is free and the museum will have their logo on the advertising and they wanted to include the town.

Councilor Dennett asked why.

Ms. Sanborn said because it is a town event and gives the history of Kittery. She said the work is being performed by David Greenham, the artist who has been doing this all across Maine in various towns, i.e. Freeport, Houlton, Lewiston and now he will be in Kittery on May 17th.

Councilor Dennett said he will abstain from the question.

ROLL CALL VOTE WAS TAKEN, MOTION PASSED 6-0-1 (COUNCILOR DENNETT ABSTAINED).

13. COUNCILOR ISSUES OR COMMENT

Councilor Denault said he has heard about the tax rate and the recent assessment and is concerned that it is up by 43%.

APPROVED MINUTES

Chairperson Thomson wanted to know if Councilor Denault was talking about the tax rate or the assessment.

Councilor Denault replied the assessment. He said he reached out to the Town Manager as residents have expressed concerns that they are paying more money than what the town has the property assessed for. He said he asked the Town Manager if we could schedule a workshop so we can be educated on the process because there are a lot of questions out there.

Councilor Denault said he has been hearing a lot of complaints from people that they are not being properly taxed and this way [by having a forum] they could come in and maybe like what they hear.

Councilor Denault said he asked Vision Appraisal about his property, 8 acres behind the dump, and he said they would look at it. He said he received an e-mail that there was a discrepancy and his assessment went up higher. He said people should not be afraid to talk with Vision Appraisal.

Chairperson Thomson asked if these people were going through the formal appeal process with the Board of Assessment Review.

Councilor Denault said someone told him they talked with a town employee and did not receive an answer they wanted, which is why he reached out to the Town Manager, who is working on this as well. He said the person was told that they could bring the concern before the Board of Assessment Review but that nothing will happen.

Chairperson Thomson said Council does not deal with rumors or innuendo.

Councilor Denault thought this is well-suited if we address the formal process as there is a lot of confusion.

Chairperson Thomson said Councilor Denault is talking about assessment and that is for this year's tax bills that went into effect in September. Chairperson Thomson asked Council Denault when did this issue bubble up.

Councilor Denault said he received an e-mail last week.

Chairperson Thomson asked if they went through the appeal process.

Councilor Denault said yes they did and had some satisfaction.

Chairperson Thomson asked Councilor Denault if the parties who are contacting him are making a formal appeal to the Board of Assessment Review.

Councilor Denault said yes.

Chairperson Thomson said several months have passed and the new tax bills are being paid already. He asked the Town Manager what would she like to do and if it were possible to speak with the Assessor and ask if someone could come in from Vision Appraisal and explain the process.

Town Manager Colbert Puff said it is not uncommon for people to ask questions and that she has spoken with Councilor Denault. She said if Council is interested in having a workshop where the process can be explained, she will speak with the Assessor, Bruce Kerns.

Town Manager Colbert Puff said she does not want to get into the details of each property, but perhaps Mr. Kerns could give an overview on how the properties were assessed.

APPROVED MINUTES

Chairperson Thomson agreed to that and Councilor Denault said he was fine with that.

Chairperson Thomson said he sees value in it, but does not want to prejudice any case that is going before the Board of Assessment Review.

Councilor Denault said the Port Authority is purchasing a boat and wanted to know if it was their responsibility to watch how things are being spent. He said in the Town Charter there is a bid process when money is spent on an item and wanted to know if it applies to boards and committees and the Port Authority as well.

Chairperson Thomson replied that the Port Authority is a creature of State government and a State appointed agency.

Councilor Denault said he does not know the specifics of the boat purchase, but asked what are the ramifications if the Charter is not being followed.

Chairperson Thomson asked if the Port Authority had purchased the boat.

Councilor Denault replied they are voting on that Thursday night and he is going to the meeting. He said it's a private sale.

Chairperson Thomson asked the Town Manager to check with the Port Authority regarding the boat purchase and the process they followed, i.e. bid specs, RFP.

Town Manager Colbert Puff replied she would.

Councilor Denault wanted to recognize and thank the Lions Club and the Rotary for the backpack lunches. He said they are very instrumental in ending 68 hours of hunger, which he put on the website, end 68 hours of hunger.org. He said the Lions Club and Rotary are looking for donations and so far they are up to 100 kids they have served with backpack lunches. He said there are a lot of people working on this project and acknowledged them by name.

Councilor Denault said the Lions Club does vision screening in the schools and one parent thanked them for the screening which saved her child's eyesight.

Councilor Denault thanked the Manager for the update on the Boston Post Cane and hopes the process speeds up.

Councilor Brake asked the Town Manager about the status of the new Dept. of Public Works Director.

Town Manager Colbert Puff replied they are in negotiations with the final candidate now.

Chairperson Thomson said the J1 Hospitality Coalition is looking for donations of bicycles for foreign students who will be arriving soon for summer employment. He said they can be dropped off here on April 30th at 6:30 pm.

Chairperson Thomson said on April 28th there will be the presentation of the budget, but there will be an executive session at 5:45, followed by a workshop at 6 pm with the Rice Library Board of Trustees.

Chairperson Thomson said there are a large amount of signs, old signs that are still around and wanted to know what did the ordinance say regarding old signs. He said some are covered up but the structure is still there and the situation should be addressed. He said the signs should be repaired and that some have broken glass or the wooden frames are broken.

APPROVED MINUTES

Councilor Spiller said that the Wood Island Advisory Committee met on April 5th to discuss WILSA's interest in doing temporary repairs, getting proper permits and the feasibility of WILSA doing permanent repair work. She said they will be sitting down to discuss this at their meeting on May 7th.

Councilor Pelletier asked what time was the meeting and the Town Manager replied at 6 p.m.

15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson: none
- b. Committee Reports: none

16. EXECUTIVE SESSION – none

17. ADJOURNMENT

IT WAS MOVED BY COUNCILOR SPILLER AND SECONDED BY CHAIRPERSON THOMSON TO ADJOURN THE MEETING AT 8:58 P.M. ALL WERE IN FAVOR BY A VOICE VOTE.

/bb